REMARKS/ARGUMENTS

Applicant wishes to thank the Examiner for taking the time to discuss this application with Applicant's attorney in a telephonic interview on September 13, 2005. These remarks are in response to the discussion and to the Final Office Action dated July 13, 2005.

Claims 1-32 are pending in the present invention. The Examiner has rejected claims 1-5, 8, 22-25, and 29-32 under 35 USC §102(e) as being anticipated by Safai et al (6,167,469). As discussed in previous responses and in the telephonic interview, Safai is primarily directed to a method and apparatus for transporting digital images from a digital camera to one or more external destinations via a server. The digital camera executes a transport application that sends the selected images to the designated destinations over a data communication network. (Abstract; column 7, lines 31-37). The transport application enables the user to select or enter an email address, choose a photo, record a voice message, and then send the photo to a server. The server then emails the photo to the specified address. (Column 13, line 39 to column 14, line 15).

Claim 1

Applicant respectfully submits that Safai fails to describe the cooperation of elements recited in claim 1. Claim 1 provides:

> 1. A method for reducing transmission bandwidth requirements of a portable image capture device, the image capture device including means for establishing a communications connection on a network, the method comprising:
>
> (a) a first time captured images are uploaded to a server, assigning a respective image identifier to each of the captured images, wherein each of the images is stored in an image file, each of the image files having a particular size; and
>
> (b) in response to a user request to apply an action

to one of the uploaded images, transmitting the requested action and the image identifier, rather than the image itself, from the portable image capture device to the server, thereby eliminating the need to retransmit the image and reducing transmission bandwidth.

In the Final Office Action, the Examiner contends that Safai teaches "assigning a respective image identifier to each of the captured images" by marking the image with an "authentication stamp that uniquely identifies the image." The Examiner then asserts that Safai teaches "transmitting the requested action and the image identifier" because Safai allows the camera owner to use the camera to upload and store images to the server so that the user can retrieve, print or transport a stored image at any time thereafter. (Column 15, lines 33-45).

In responding to Applicant's prior arguments in the final Action, the Examiner states, "[c]learly, once the image is uploaded from the remote device of Safai, further action taken by the user of the remote device on the centrally stored photos does not involve uploading the images a second time." While Safai may not necessarily require the user to upload an image repeatedly in order for the user to perform an action related to a stored image, Safai's arrangement does appear to require that image data be retransmitted at least once between Safai's server 601 and camera 100, and vice versa, after the image is originally uploaded to the server 601 for such actions to be carried out. This appears to be the case because Safai does not teach (or even suggest) that the camera 100 transmits the requested action and an image identifier, rather than the image itself, in order to carry out such actions. Without an image identifier being available to relate the images stored in the camera 100 to the images stored on the server 601, Safai's camera applications, such as the transport application 230, would necessarily need to download/exchange image data over the

connection between the server 601 and the camera 100 to allow the user to select which images a particular function is to be performed against. This exchange of image data between the camera 100 and server 601 in order to facilitate the user's requested action is reduced or eliminated using the method defined by claim 1.

In the final Action, the Examiner contends that Applicant's image identifier reads on Safai's authentication stamp. But in Safai, the camera generates it's "authentication stamp" for each image and *adds it* to the image when it is uploaded to the server. The authentication stamp is then used by the server to ensure that the image has not been altered after it was uploaded and stored. (Column 15, line 60 to column 16, line 21). Also, in Safai, the camera transmits the authentication stamp only when the image is uploaded to the server and always together with the image itself.

In the present invention, the image identifier is transmitted every time the user submits a request to perform an action pertaining to the image, eliminating the need to retransmit the image and thereby reducing transmission bandwidth to carry out the requested action. Accordingly, the image identifier, as recited in claim 1, cannot be said to read on Safai's authentication stamp as asserted in the final Action, and the claim should be allowable over Safai.

In addition, Applicant respectfully submits that Safai is primarily directed to simplifying the process for distributing pictures stored in a digital camera to one or more parties. Unlike the present invention, Safai is not concerned with reducing transmission bandwidth requirements between the image capture device and the server when the user of the image capture device requests an action related to an image stored on the server. This is reflected in the fact that Safai offers no particular

description as to how the server 601 provides the services 602 described in column 15, lines 14-58 to the user. Lacking any such description, Applicant can only assume that such services 602 are offered in the traditional manner that requires the exchange/transmission of image data between the applications (e.g., transport application 230, and the like) running on Safai's image capture device 100 and the server 601. In contrast, the novel method defined by claim 1 requires no client-side processing for receiving and displaying an image for selection against which the server is to apply the requested action. Instead, the image identifier, which associates images captured by the image capture device to images previously uploaded to the server, can be used by the server to determine which image to apply the requested action against without the image capture device or the server having to again exchange the image data associated with the image identifier. Accordingly, Applicant respectfully submits that Safai fails to teach (or even suggest) the cooperation of elements of the present invention, as recited in claim 1.

Claim 22

Applicant respectfully submits that Safai fails to describe the cooperation of elements recited in claim 22. Claim 22 recites:

> 22. A method for reducing storage and transmission bandwidth requirements of a portable image capture device, the image capture device including means for establishing a communications connection on a network, the method comprising:
> a) receiving captured images uploaded from the image capture device to a server on the network;
> b) assigning an image identifier to the uploaded images by the server;
> c) downloading the image identifiers to the image capture device for association with the corresponding uploaded image; and
> d) receiving a request from the portable image capture device to apply an action to one of the uploaded images, wherein the request only includes the image identifier of the image and the

requested action, thereby eliminating the need to retransmit the image and reducing transmission bandwidth.

In the Final Office Action, the Examiner rejected claim 22 on the grounds that the rejections of claims 1-5 and 8 apply fully. Applicant, however, notes that Safai does not teach (or even suggest) "assigning an image identifier to the uploaded images *by the server*", much less "downloading the image identifiers to the image capture device for association with the corresponding uploaded image", as recited in claim 22. First, Safai's authentication stamp is generated by the camera and not by the server. Moreover, Safai simply does not describe "downloading" the authentication stamps to the camera because the authentication stamps are stored with the images on the server at all times. In addition, for the reasons stated above with regard to claim 1, Safai does not describe receiving a request that "only includes the image identifier of the image and the requested action."

In view of the foregoing, Applicant respectfully submits that independent claims 1 and 22 are allowable over Safai. Because the secondary references stand or fall with the primary references, claims 2-5, 8, 23-25, and 29-32 are allowable because they are dependent upon the allowable independent claims.

Dependent Claims 2-5, 8, 23-25, and 29-32

Applicant respectfully submits that the dependent claims are allowable for independent reasons in addition to those presented above. Safai fails to describe the present invention as recited in claims 2-5, 8, 23-25, and 29-32. The passages of Safai relied upon by the Examiner to reject the dependent claims, for the most part, fail to relate at all to the subject matter of the claims.

For example, in the rejection of claims 2 and 24, the Examiner cited column 10, lines 24-39 for teaching "reducing the size of each of the image files corresponding to the uploaded images" (col. 10, lines 33-40) and "replacing each of the image files with its corresponding reduced size image file" (col. 10, lines 25-39). Nevertheless, column 10, lines 24-39 states:

> Generally, after entering one or more addresses, a user will next select one or more stored images, such as digital photos, to be sent to the one or more addresses. As shown in FIG. 5B, in block 522 a user selects the Choose Photo button 404 from menu 400. In response, in block 524 the transport application displays a photo select screen. FIG. 4C is a block diagram of a photo select screen 430 that is generated during the image selection step of the image transport application. The photo select screen 430 comprises a plurality of images 432a-432d, each of which is a small-size representation of a previously taken digital photo that is stored in the digital camera 100. Thus, the images 432a-432d comprise "thumbnail" views of photos that are stored in the camera. Although four (4) images 432a-432d are shown in FIG. 4C, this number is not critical, and any number of images can be shown in thumbnail form.

While Safai describes *displaying* a thumbnail view of images that are stored in the camera, Safai does not state that the image file itself for each image is *reduced* in size or that the image file in the camera is *replaced* by the thumbnail. Accordingly, Applicant respectfully submits that dependent claims 2 and 24 are allowable over Safai. As for claims 3-5, 8, 23, 25, and 29-32, Applicant respectfully submits that the cited portions of Safai fail to teach or suggest the present invention, as recited in those claims.

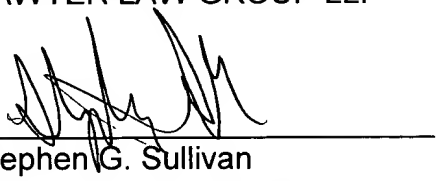
Conclusion

Based on the foregoing, Applicant respectfully submits that claims 1-5, 8, 22-25, and 29-32 are allowable over the cited references. Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues

remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP



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